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Liquor Control and Licensing Branch

Annual Enforcement Report 1990/91

Province of British Columbia
Ministry of Attorney General

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Annual Enforcement Report

April 1, 1990 to March 31, 1991

The goal of the Enforcement Program is to provide an orderly, problem free, and economically viable environment in licensed establishments in order to protect the public interest.

This environment is created by sharing responsibility for orderliness with the Hospitality Industry. Cooperation between the Hospitality Industry and the Liquor Control and Licensing Branch resulted in the Responsible Beverage Service Program - "Serving It Right".

The purpose of the Responsible Beverage Service Program - "Serving It Right" - is to ensure that the Hospitality Industry is aware of problems associated with the service of liquor and to develop strategies to avoid or deal with such problems. While the Responsible Beverage Service Program may not solve the economic and social problems which occur as a result of the consumption of beverage alcohol, increasingly, it should affect attitudes and ultimately change behaviour. Less enforcement action should be required because of the awareness created by the Responsible Beverage Service Program. By legislation, the program is mandatory for licensees and servers with few exceptions.

The Branch continues to discourage inducement activity between liquor manufacturers and licensees, taking action where such activity is alleged to exist. Liquor manufacturers and licensees must be aware of the sensitive relationship that exists between them in the promotion of liquor and the requirements of the Liquor Control and Licensing Act.

Police Walk-through Program

Municipal police departments and R.C.M.P. detachments continue to play a vital role in their routine "walk-throughs" of licensed premises. Their Licensed Premises Check forms provide this Branch with ongoing reports as to how establishments are being operated.

We believe that while these unscheduled visits enhance our Enforcement Program, they are of equal benefit to the licensees since they deter undesirable conduct and help to identify potential problems.

Branch Enforcement Program

The Enforcement Program is built upon the philosophy that enforcement action will be taken as soon as possible and that every effort will be made to assist licensees to overcome problems in operating their establishments. Thus, where field Inspectors become aware of a problem in a licensed establishment they will consider whether the matter merits only a warning and timely word of advice to the licensee. Field Inspectors will also consider whether a licensee would benefit from referral to a local Hospitality Industry Liquor Licensing Advisory Committee (HILLAC) for advice and guidance by persons knowledgable in the industry. Should field Inspectors believe that none of these are sufficient to deal with the problem, they will recommend to the regional Senior Inspector that a hearing be held and that consideration be given to formal action against the licensing privileges by way of a license restriction, suspension, or cancellation. If the Senior Inspector concurs with the recommendation, a request will be made to the Enforcement Manager to convene a hearing to review the liquor licensing privileges of the establishment in question.

In a move toward decentralization of Branch responsibilities, Senior Inspectors have been delegated the authority to suspend or restrict licenses for a maximum of seven days. If there is concurrence with the recommendation of the Senior Inspector in whose regional area the licensed establishment is located, the Enforcement Manager will appoint a Senior Inspector from outside the regional area to convene a hearing. If required, the Enforcement Manager may request that the hearing be convened by the General Manager or Deputy General Manager with the authority to restrict or suspend the licence for an unlimited period of time or to cancel the licence.

It may also be referred to the Liquor Licensing Committee which has the delegated authority of the General Manager to convene hearings.

When warning letters are ignored or infractions continue, hearings may be called to review the licensing privileges of the licensee.

The following statistics represent the enforcement activities of this period.

Year	Warning Letters	Hearings	Suspensions
1990/91	121	64	57 *
1989/90	85	66	63 *
1988/89	97	85	74
1987/88	212	125	72
1986/87	165	112	70
1985/86	346	122	75
1984/85	332	119	67
1983/84	278	140	70
1982/83	303	158	65

* 1 Cancellation

Appeals

On November 17, 1989, Section 30.1 of the Liquor Control and Licensing Act was proclaimed. With this proclamation, appeal fees were instituted and the Liquor Appeal Board was established. In order to appeal a decision resulting from a hearing, a fee is now required. Matters which are subject to appeal this last year were: service to minors, serving and permitting intoxicated persons to remain on licensed premises, service of liquor without food, inducements and overcrowding.

Acknowledgements

The Liquor Control and Licensing Branch wishes to acknowledge and thank:

1. The police officers of the Province who, through their walk-through programs play such a vital role in our enforcement procedures.

2. The members of the Liquor Distribution Branch for their valuable cooperation and assistance.

3. The majority of licensees who, in an extremely competitive environment succeed in operating their business in compliance with the Liquor Control and Licensing Act, Regulations and Policies.

4. Members of local Hospitality Industry and Liquor Licensing Advisory Committees (HILLAC) who have formed to act as advisory groups in lessening enforcement problems within individual communities.

5. Our Inspectors and staff for their dedication and good work, often under demanding circumstances.

Edward W. Owsianski
Deputy General Manager
Regional Operations
Liquor Control and Licensing Branch
1019 Wharf Street
Victoria, B.C. V8V 1X4

Suspensions by Category of Licence

LICENCES	PREMISES	SUSPENDED
"A" Licences	"A" Pubs	15
	"A" Lounges	8
"B" Licences	"B" Dining Lounges	7
	"B" Dining Lounges/ Holding Areas	4
	"B" Dining Rooms	2 *
"C" Cabarets	"C" Cabarets	18
"D" N.P.H.	"D" N.P.H.	2
"G" L.R.S.	"G" L.R.S.	1

* 1 Cancellation

"A" Licence

Licence, Location and Type of Licence	Details Infraction	Disposition
A.N. & A.F. #68 Vancouver, A.N. & A.F. # 68 "A" Lounge Licence No. 022931	Gambling.	Suspended 2 days. May 12 - 13/90.
Balmoral Hotel Vancouver, Balmoral Hotel Ltd. "A" Pub Licence No. 028047	Minors. Overservice. Lack of control. Service of liquor outside licensed area. Providing free beer.	Suspended 4 days. June 20 - 23/90.
Cobalt Hotel Vancouver, Northstar International Motor Hotel Ltd. "A" Pub Licence No. 033694	Permitting simulated sex acts as part of exotic dancer's performance - Contrary to G.M.O. No. 649(A).	Right to have exotic/dancers or strippers as a form of entertainment, suspended 3 weeks. May 12 - June 2/90.
Idywild Inn Houston, Idywild Inn (1987) Ltd. "A" Pub Licence No. 104033	Overservice. Intoxicated patrons. Disorderly conduct.	Suspended 1 day. March 9/91.
Kitimat Hotel Kitimat, Caruso Hotel Inc. "A" Pub Licence No. 015242 and "A" Lounge Licence No. 005538	Intoxicated patrons. Lack of control. Failed to comply with an order of the Deputy General Manager of Enforcement and a decision of the Commercial Appeals Commission.	Suspended 3 days. Suspended 1 day. Suspended 7 days for each occurrence (2). All to be served 7 days concurrently. Appealed to L.A.B. Appeal dismissed. Suspended May 13 - 19/90.

"A" Licence

Licence, Location and Type of Licence	Details Infraction	Disposition
Logan Lake Hotel Logan Lake, 373731 B.C. Ltd. "A" Pub Licence No. 101048	Non compliance with the Liquor Control and Licensing Act. After hours service of liquor.	Suspended 1 day. Nov. 4/90.
Newcastle Inn Nanaimo, Palomino Holdings Ltd. "A" Pub Licence No. 023143	Overcrowding.	Suspended 1 day. June 22/90.
Newton Inn Surrey, G.K.M. Holdings Ltd. "A" Pub Licence No. 026736 and "A" Lounge Licence No. 005559	Minors. Intoxicated patrons. Accepting inducement to sell a particular brand of liquor. Liquor consumption by employees. Illegal purchase of liquor.	Suspended 10 days. Jan. 27 - Feb. 5/91. Appeal to L.A.B. Appeal abandoned.
Northgate Motor Inn Fort St. John, Northern Plains Ventures Ltd. "A" Pub Licence No. 026359	Not in possession of a valid S.S. Tax Registration Certificate.	Suspended April 17/90. Indefinitely. Reinstated August 2/90.
Penticton Inn Penticton, The Penticton Inn Inc. "A" Lounge Licence No. 125865	Patrons consuming in unlicensed area. Employee consuming. Overservice.	Suspended 3 days. One day served on Feb. 15/91. Remaining days served March 23 - 24/91.

"A" Licence

Licence, Location and Type of Licence	Details Infraction	Disposition
Silverton Hotel Silverton, Silver Ridge Resources Inc. "A" Lounge Licence No. 028843	Intoxicated patrons. Extension of credit. After hours service.	Suspended 1 day. March 14/91.
Southwind Motor Inn Oliver, D.V.B. Holdings Ltd. "A" Pub Licence No. 000640	Non compliance with the Liquor Control and Licensing Act. After hours service. Lack of control.	Suspended 1 day. Aug. 13/90.
Tudor House Hotel Cranbrook, Valco Hotels Limited "A" Pub Licence No. 127548	Lack of control. Minors.	Suspended 2 days. July 27 - 28/90.
Tumbler Ridge Inn Tumbler Ridge, Tumbler Ridge Inn Ltd. "A" Pub Licence No. 104667	Overservice. Lack of control.	Suspended 1 day. Nov. 9/90.
Washington Inn Courtenay, Saunders, Anthony & Valerie "A" Pub Licence No. 012058	Overcrowding. Overservice. Disorderly conduct.	Suspended 1 day. Aug. 11/90.

"B" Licence

Licence, Location and Type of Licence	Details of Infraction	Disposition
Attalos Pizza North Vancouver, Paolo's Pizza Ltd. "B" Dining Lounge Licence No. 095491	Service of liquor without food. After hours operation.	Service of liquor suspended 7 days from 7 p.m. to 2.a.m. Sept. 16 - 22/90.
Bella Vita Restaurant Maple Ridge, R.V.P. Enterprises Ltd. "B" Dining Lounge/ Holding Area Licence No. 040279	Service of liquor without food. Permitting gambling in Holding Area.	Suspended 6 weeks from liquor licensing privileges in Holding Area. July 1 - Aug. 11/90.
Cafe Martinique Vancouver, Cafe Martinique Inc. "B" Dining Lounge Licence No. 127946	Service of liquor without food.	Suspended 3 days from liquor licensing privileges in Holding Area. April 23 - 25/90.
Crossings North Vancouver, Scallini Investments Ltd. "B" Dining Lounge/ Holding Area Licence No. 121703	Service of liquor without food.	Suspended 3 days from liquor licensing privileges in Holding Area and Area Number 1. Nov. 13 - 15/90.
Fiasco's Restaurant Vancouver, Mark James Restaurants Ltd. "B" Dining Lounge Licence No. 079291	Overcrowding. Service of liquor without food.	Suspended 1 day. Nov. 2/90.

"B" Licence

Licence, Location and Type of Licence	Details of Infraction	Disposition
Galiano Lodge Galiano Island, Polo Enterprises Ltd. "B" Dining Lounge Licence No. 029449	Failed to provide necessary transfer of licence documents.	Suspended June 29/90 indefinitely. Reinstated Aug. 30/90.
Jerry's on Broadway North Vancouver, Wing, George Gilbert "B" Dining Room Licence No. 119317	Failure to sell liquor as prescribed by the Liquor Control and Licensing Act. Service of liquor without food. Minors. Criminal activity.	Cancelled July 12/90.
Minh Restaurant Vancouver, Huynh, Kim Hoang "B" Dining Room Licence No. 124181	Lack of valid Health Permit.	Suspended Dec. 5/90 indefinitely.
Ned Kelly's Roadhouse Kamloops, Ned Kelly's Roadhouse Ltd. "B" Dining Lounge Licence No. 123449	Service of liquor without food.	Suspended 2 days. Aug. 15 - 16/90.
Northgate Motor Inn Fort St. John, Northern Plains Ventures Ltd. "B" Dining Lounge Licence No. 013816	Not in possession of a valid S.S. Tax Registration Certificate.	Suspended April 17/90 indefinitely. Reinstated Aug. 2/90.

"B" Licence

Licence, Location and Type of Licence	Details of Infraction	Disposition
Owl and the Engineer Restaurant Surrey, 350237 B.C. Ltd. "B" Dining Lounge Licence No. 128672	Failed to remove unauthorized D.J. Booth, large speakers and lights.	Suspended April 26/90 indefinitely. Reinstated May 7/90.
Soft Rock Cafe Vancouver, Protocol Investments & Securities Inc. "B" Dining Lounge/ Holding Area Licence No. 122068	Service of liquor in Holding Area without determining patrons intention to dine. Overcrowding in Holding Area.	Suspended 7 days from liquor licensing privileges in Holding Area Sept. 2 - 8/90.
Unicorn Vancouver, Irish Rovers Free House Corporation "B" Dining Lounge/ Holding Area Licence No. 124154	Service of liquor without food.	Suspended 5 days. July 17 - 24/90. Appeal to L.A.B. Suspension reduced to 1 day. Held in abeyance. Appealed to B.C. Court of Appeal.

"C" Licence

Licence, Location and Type of Licence	Details of Infraction	Disposition
Commodore Cabaret Vancouver, Commodore Cabaret Ltd. "C" Cabaret Licence No. 028089	Minors.	Suspended 1 day. Jan. 25/91.
Earthquake Annie's Cabaret Chilliwack, 269852 B.C. Ltd. "C" Cabaret Licence No. 015284	Overcrowding.	Suspended 2 consecutive Saturdays. March 2/91 and March 9/91.
Elphies Cabaret Gibsons, 286661 Contracting Ltd. "C" Cabaret Licence No. 009381	Overservice. Poor door control. Audience participation with exotic dancer.	Suspended 1 day. June 19/90. Appealed to L.A.B. Appeal abandoned Dec. 90.
Elphies Cabaret Gibsons, 286661 Contracting Ltd. "C" Cabaret Licence No. 009381	Overservice. Lack of control.	Suspended 1 day. Appealed to L.A.B. Appeal abandoned Dec. 90. (above suspensions served during this period - 2 days total) Jan. 4 - 5/91.
Gotcha Cabaret Vancouver, Pupus Enterprises Ltd. "C" Cabaret Licence No. 015483	Overcrowding. Minors. Overservice. Providing free liquor.	Suspended 2 days. Nov. 5 - 6/90.
Hooter's Cabaret Elkford, Hooter's Cabaret Ltd. "C" Cabaret Licence No. 134231	Intoxicated patrons. Overservice. Lack of control.	Suspended 2 days. Sept. 14 - 15/90.

"C" Licence

Licence, Location and Type of Licence	Details of Infraction	Disposition
Live Wire Cabaret Kelowna, 366543 B.C. Ltd. "C" Cabaret Licence No. 130456	Overcrowding.	Suspended 1 day. May 25/90.
Ned Kelly's Roadhouse Kamloops, Ned Kelly's Roadhouse Ltd. "C" Cabaret Licence No. 123443	Patrons leaving premise with liquor. Minors.	Suspended 2 days. Aug. 15 - 16/90.
Newton Inn Surrey, G.K. M. Holdings Ltd. "C" Cabaret Licence No. 013381	Supplying liquor to minors. Minors in premise. Intoxicated patrons. Accepting inducement to sell a particular brand of liquor. Liquor consumption by employees.	Suspended 10 days. Jan. 27 - Feb. 5/91. Appeal to L.A.B. Appeal abandoned.
Nitemoves Penticton, 308676 B.C. Ltd. "C" Cabaret Licence No. 035185	Audience participation with exotic dancers.	Right to have exotic/dancers or strippers as a form of entertainment, suspended 1 day. Dec. 6/90.
Northwoods Inn Fort St. John, 94000 Holdings Ltd. "C" Cabaret Licence No. 043683	Intoxicated patrons. Minors. Lack of control. Liquor consumption by employees.	Suspended 1 day. Jan. 4/91.

"C" Licence

Licence, Location and Type of Licence	Details of Infraction	Disposition
Side Door Cabaret Vancouver, Side Door Cabaret Ltd. "C" Cabaret Licence No. 024681	Overcrowding.	Suspended 7 days. May 20 - 26/90.
Splash's Cabaret Kelowna, Warrigal Resources Ltd. "C" Cabaret Licence No. 017187	Overcrowding. Minors.	Suspended 1 day. Dec. 1/90.
Tiger's Eye Night Club Kelowna, Dusty's Cabaret Ltd. "C" Cabaret Licence No. 010789	Minors.	Suspended 2 days. April 11 - 12/90.
Tiger's Eye Night Club Kelowna, Dusty's Cabaret Ltd. "C" Cabaret Licence No. 010789	Minors. Audience participation with exotic dancers. Overcrowding.	Suspended 2 days. Sept. 28 - 29/90.
Tudor House Hotel Cranbrook, Valco Hotels Limited "C" Cabaret Licence No. 127548	Lack of control. Minors.	Suspended 2 days. July 28 - 29/90.
Twilight Zone Cabaret Vancouver, Masam Investment Ltd. "C" Cabaret Licence No. 121813	Lack of control. Minors. Overcrowding. After hours service. Intoxicated patrons.	Suspended 3 days. Feb. 23 - 25/91.

"C" Licence

Licence, Location and Type of Licence	Details of Infraction	Disposition
Windsor Hotel Dawson Creek, 371395 British Columbia Ltd. "C" Cabaret Licence No. 002888	Lack of control. Minors. Overcrowding. After hours service.	Suspended 1 day. Jan. 5/91.

"D" Licence

Licence, Location and Type of Licence	Details of Infraction	Disposition
Christies's Carriage House Victoria, Christie's Carriage House Pub Ltd. "D" N.P.H. Licence No. 120584	Overcrowding.	Suspended 1 day. June 8/90.
Mountain Shadow Inn Burnaby, Harvest Enterprises Ltd. "D" N.P.H. Licence No. 030680	Overcrowding.	Suspended 3 days. April 19 - 21/90. Appeal to L.A.B. L.A.B. denied appeal. Suspension served Sept 6 - 8/90.

"G" Licence

Licence, Location and Type of Licence	Details of Infraction	Disposition
Northgate Motor Inn Fort St. John, Northern Plains Ventures Ltd. "G" L.R.S. Licence No. 192378	Not in possession of valid S.S. Tax Registration Certificate.	Suspended April 17/90 indefinitely. Reinstated August 2/90.

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